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11  
12 UNITED STATES DISTRICT COURT  
13 DISTRICT OF NEVADA

14  
15 UNITED STATES OF AMERICA, ) CASE NO. 2:18-CR-00322-APG-BNW  
16 Plaintiff, )  
17 vs. )  
18 THIEN DINH LE, )  
19 Defendant. )  
20 \_\_\_\_\_)

21  
22 **STIPULATION TO CONTINUE SENTENCING HEARING**  
23 **(Fifth Request)**

24 IT IS HEREBY STIPULATED AND AGREED, between the United States of America, by  
25 and through its attorney, Nicholas A. Trutanich, United States Attorney, through Kevin Douglas  
26 Schiff, Assistant United States Attorney; and Defendant Thien Dinh Le, by and through his counsel,  
27 Monti Jordana Levy, Esquire, Wright Marsh & Levy, that the sentencing hearing currently scheduled  
for January 27, 2020, at 3:00 p.m. be vacated and set to a date and time convenient to this Court, but  
no sooner than ninety (90) days from the current sentencing date.

28 This stipulation is entered into for the following reasons:

29 1. Defense counsel for Mr. Le, was newly appointed on October 29, 2020 [ECF 103].  
30 Defense Counsel has recently received the file and needs additional time to review the case, meet  
31 with Mr. Le, and prepare for a sentencing memorandum and presentation in support of a just and  
32 reasonable sentence.

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1       2. The parties agree to the continuance. Mr. Le is currently in custody and agrees to the  
2 continuance.

3       3. Additionally, denial of this request for continuance could result in a miscarriage of  
4 justice.

5       4. The additional time requested by this Stipulation is made in good faith and not for  
6 purposes of delay.

7       5. This is the fifth request for a continuance of the sentencing hearing.

8       Dated this 13th day of January, 2021.

9       Respectfully submitted:

10      WRIGHT MARSH & LEVY

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12     BY /s/ Monti Jordana Levy  
13     MONTI JORDANA LEVY, ESQUIRE  
14     Attorney for Defendant Jordan

NICHOLAS A. TRUTANICH  
UNITED STATES ATTORNEY

14  
15     BY /s/Kevin Douglas Schiff  
16     KEVIN DOUGLAS SCHIFF  
17     Assistant U.S. Attorney

**UNITED STATES DISTRICT COURT**

## **DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. )  
THIEN DINH LE, )  
Defendant. )

CASE NO. 2:18-CR-00322-APG-BNW

## ORDER

Based on the Stipulation of the parties, the sentencing hearing in this matter is hereby continued. The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy sentencing, since the failure to grant said continuance would be likely to result in a miscarriage of justice, and would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

IS IT HEREBY ORDERED that the sentencing in the above-captioned matter currently scheduled for January 27, 2021, at 3:00 a.m., be vacated and continued to April 28, 2021, at 1:00 p.m. in LV Courtroom 6C.

DATED: January 13, 2021

ANDREW P. GORDON  
United States District Judge